

ARIZONA DEPARTMENT OF EDUCATION

FY 2006 CONSTITUTIONALLY PROTECTED PRAYER POLICY CERTIFICATION
NCLB TITLE IX, SECTION 9524

DUE OCTOBER 1, 2005

Complete this form through the Common Logon in Academic Achievement Reports for submission to the ADE only. Do not submit a hard copy of the form. One of the authorized signers for the LEA will be responsible for submitting the form prior to any NCLB program application approvals, and in any case, prior to the October 1, 2005 deadline.

The authorized signatory of the local education agency (LEA) listed below affirms that no policy of the LEA prevents, or otherwise denies participation in, constitutionally protected prayer in any of the elementary or secondary schools in the LEA. In affirming this provision, the LEA understands that, if the LEA refuses to submit this certification or does so in bad faith, the ADE may bring enforcement action that may include withholding of NCLB funds until the LEA complies with this requirement.

SECTION 9524. SCHOOL PRAYER.

(a) GUIDANCE- **The Secretary shall provide and revise guidance***, not later than September 1, 2002, and of every second year thereafter, to State educational agencies, local educational agencies, and the public on constitutionally protected prayer in public elementary schools and secondary schools, including making the guidance available on the Internet. The guidance shall be reviewed, prior to distribution, by the Office of Legal Counsel of the Department of Justice for verification that the guidance represents the current state of the law concerning constitutionally protected prayer in public elementary schools and secondary schools.

(b) CERTIFICATION- **As a condition of receiving funds under this Act**, a local educational agency shall certify in writing to the State educational agency involved that no policy of the local educational agency prevents, or otherwise denies participation in, constitutionally protected prayer in public elementary schools and secondary schools, as detailed in the guidance required under subsection (a). **The certification shall be provided by October 1 of each year.** The State educational agency shall report to the Secretary by November 1 of each year a list of those local educational agencies that have not filed the certification or against which complaints have been made to the State educational agency that the local educational agencies are not in compliance with this section.

*The guidance from the ED on Religion and Public Schools was posted on February 7, 2003 at http://www.ed.gov/policy/gen/guid/religionandschools/prayer_guidance.html